(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G.)

W.P.NO. 73 /2002

PETITIONER

M/s.Goel & Associates,
A Partnership Firm
Through its Partner
Shri Navin Goel,
S/o. Shri R.C. Goel,
Aged 37 years,
R/o. H/10,Rajeev Nagar,
Raipur (C.G.)

Vs.

RESPONDENTS

1. State of Chhattisgarh,
Through Secretary,
Department of Public Works,
Mantralaya,
Raipur (C.G.)

2. Chief Engineer,
Public Works Department,
Raipur (C.G.)

3. Executive Engineer,
Public Works Department,
Raipur Division No. 2(B/R)
Raipur (C.G.)

P. R. No. 65/02
Presented by Shri A. Shrivastava
dated 5/1/02

5-1-02

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRIT INTERIM RELIEF : THE NATURE OF MANDAMUS AND FOR OTHER SUITABLE DIRECTION OR DIRECTIONS, ORDER OR ORDERS

1. PARTICULAR OF THE PETITIONER :

(53)

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 72/2002 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Writ Petition No. 71/2002, 72/ 2002 and 73/2002

14-01-2002.

Shri Manindra Shrivastava, Advocate for the petitioner.

Shri Deep Kesharwani, Panel Lawyer for the State.

Heard.

This Order shall dispose of W.P.Nos. 71/2002, 72/2002 and 73/2002.

These petitions have been filed on the ground that at the time of formation of new State of Chhattisgarh, the petitioners, pursuant to notice of the Government inviting tenders, submitted tenders which were accepted and thereafter petitioners successfully completed the work and fulfilled all the conditions and terms, but the payments have not been made so far. By these petitions, the petitioners have prayed for the directions to the respondent to pay / release forthwith balance amount and further to pay interest on the aforesaid amount at penal rate of 25%.

Learned counsel for the petitioners submitted that there is no compliant against the work executed by the petitioners. In spite of

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that payments of lakhs of rupees have not been made to them. It is further submitted that the petitioners made several representations, but without any reason, the amount has not been paid to them. It is also submitted that whenever the petitioners approached the competent authority, they assured that proper orders would be passed but no order has been passed.

Having considered the facts and circumstances of the case, material on record and having heard learned counsel for the parties and without entering into the merits of the case, in the opinion of this Court, it would be just and proper that the petitioners to file a detailed representation along with copy of the petition before the respondent No.2/ Chief Engineer and if such a representation is made, the respondent No.2 shall consider and decide it in accordance with law as early as possible, preferably within two months from the date of production of representation. On examination, if it is found that the petitioners are entitled to receipt of such payment, necessary action be taken, as has already been observed by this Court in W.P. No. 2173/2001.

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आदेश पत्रक (पूर्वानुबद्ध)

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	It is made clear that non-compliance of this order shall be viewed seriously. With the observations made hereinabove, these petitions are disposed of at this stage. Certified photocopy, if applied for. Sd/- Fakhruddin Judge	